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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/466,279	12/17/1999	HAJIME INOUE	SONYJP-3.0-0	9975
530 7590 05/26/2010 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090				
EXAMINER BROWN, RUEBEN M				
ART UNIT		PAPER NUMBER		
2424				
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05/26/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/466,279

**Applicant(s)**

INOUE ET AL.

**Examiner**

REUBEN M. BROWN

**Art Unit**

2424

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 3/18/2010 have been fully considered but they are not persuasive. Applicant argues that the system maintains the record & the unique node ID. However, it is pointed out that by virtue of the node reference ID in Staats being maintained, such a node reference ID, is in itself a record of the associated device.

It is pointed out that the spec merely stats that the record is "discriminated", it is not entirely clear that "discriminating" is the same as storage and retrieval of th record from the register.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-8, 10-11, 13-18 & 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshino, (EP # 0 853 402 A), in view of Staats, (U.S. Pat # 5,764,930).

Considering amended claim 1, the claimed receiving apparatus for receiving a digital broadcast which comprises a transport stream, such that the video and audio data have been compressed and multiplexed, comprising:

‘a decoder for decoding the transport stream’ is met by the operation of the IRD 102, which receives video signals, and that includes video processing section 303, Yoshino, col. 4, lines 17-35.

‘digital interface for mutually transmitting the decoded transport stream to and from digital signal processing devices’ reads on the digital connection interface 304; col. 4, lines 21-25.

‘register for selecting predetermined number of devices from among a plurality of DSP devices connected to the digital interface for allocating node ID numbers to the selected devices, such that the register stores a record of the device and the node ID number allocated to the selected device’ reads on col. 4, lines 38-47 & col. 5, lines 5-21.

As for the amended claimed feature of the ‘register maintaining the record of the unique node identification number regardless of whether the selected device remains connected to the digital interface’, Yoshino operates according to the standard IEEE 1394 Protocol, wherein upon a bus reset, the node IDs of all of the nodes may be changed. It is noted that a bus reset may be caused by the addition or removal of a device to/from the instant bus and that during a bus reset, all devices are disconnected from the bus, and all or only some of the original devices are re-

connected to the bus, along with possibly new device(s). However, Staats which is in the same field of endeavor seeks to overcome the limitations of the IEEE 1394 Protocol, by assigning a node reference ID to each node, along with its IEEE 1394 Protocol address, i.e., node base address, see col. 3, lines 1-20 & col. 5, lines 3-15, which reads on the claimed 'register for allocating node ID numbers'.

Staats goes on to teach that node reference ID is stored in memory, which reads on the claimed, 'register for storing a record of the node ID numbers allocated to the selected device', see col. 5, lines 5, lines 50-61. In particular, Staats discloses that the node reference ID is stored in a linked list of memory locations. Furthermore Staats teaches that after a bus reset, the node unique ID of any remaining node(s) is compared with those values in the device data records, such that if any matches are detected then the instant node unique ID is updated to its current node base address. Moreover, the original node reference ID of the device is also re-associated with the node unique ID, based on a pointer, which reads on the claimed feature of, 'and maintaining the record regardless of whether the selected device remains connected to the digital interface', see col. 8, lines 1-60. It is asserted that the node reference ID of Staats corresponds with the claimed unique node identification number.

It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Yoshino with the feature of maintaining a node reference ID for devices connected to a network, even after a bus reset, for the improvement of allowing bus transactions to be transparent with respect to each device, which Staats discloses is a more efficient manner,

col. 1, lines 30-67 thru col. 2, lines 1-25 & col. 9, lines 1-15, since the bus transaction are directed to a node reference ID, (as a destination address) which is a persistent value, instead of the node bus address, which is subject to change at each bus reset.

It is argued that since the node reference ID is a record, of the associated device in the broadest sense, that the subject matter is still met.

Considering claims 3 & 13, as for confirming whether a node ID has been allocated, the claimed feature reads on the disclosure of Staats which teaches that upon a bus reset, a bus scan is initiated by the CPU 10, and re-associates node reference IDs stored in memory with their corresponding node unique ID, which are connected to the bus after the reset.

Considering claims 4 & 14, the amended claimed subject matter reads on any or all of the devices being reconnected, after a bus reset and maintaining the same node reference ID, as taught by Staats, col. 7, lines 5-16 & col. 8, lines 11-20.

Considering claims 5 & 15, Yoshino teaches that records stored in the register may be changed by user input, col. 8, lines 10-25, and discusses user selection of a source and/or target device, col. 8, lines 26-55. The claimed feature also reads on the adding or removing a device to/from the bus.

Considering claims 6 & 16, the claimed subject matter reads on the discussion in Staats that the node reference IDs are not discarded upon bus reset, col. 5, lines 4-61.

Considering claims 7 & 17, Yoshino teaches displaying the list of connected devices; see Fig. 5 & Fig. 15; col. 8, lines 10-25 & col. 13, lines 11-30.

Considering claims 8 & 18, see Yoshino, col. 9, lines 5-15; col. 13, lines 11-30; Fig. 8 & Fig. 15, which teaches that disconnected devices have a different appearance from connected devices.

Considering claims 10 & 20, the user in Yoshino is enabled to select a target or source device, col. 13, lines 10-30.

4. Claims 9 & 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshino & Staats as applied to claims 7 & 17 above, and further in view of Horlander, (U.S. Pat # 6,507,953)

Considering claims 9 & 19, Yoshino, which includes recording devices, does not teach providing a warning when a record of a device to provide recording has been changed. Nevertheless, Horlander, which is in the same field of endeavor provides such a feature, col. 4, lines 12-26; col. 7, lines 66-67 & col. 7- col. 8, line 14. Horlander provides resolution when it detects that a VCR is not on the bus. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Yoshino with the teachings of Horlander, at least for the advantage of notifying the user that a pending recording would not be made, since the recording device is not connected.

Art Unit: 2424

**Any response to this action should be mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**or faxed to:**

(571) 273-8300, (for formal communications intended for entry)

**Or:**

(571) 273-7290 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Reuben M. Brown/  
Patent Examiner, Art Unit 2424